

HNA denies insurance coverage after surgery confirms diagnosis

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The cracks seem to be widening in the W.R. Grace health program designed for Libby asbestos patients.

Kalispell doctors found lung scarring associated with asbestos exposure during surgery to remove a cancerous growth from a Libby man recently rejected for coverage under Grace's no-cost health plan.

Louis O'Brien, 70, was found to

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have scarring on the lining of his chest cavity in addition to a small cancerous nodule in one of his lungs during the operation on April 9 at the Kalispell Regional Medical Center.

The small tumor was removed along with half of one lung in time

to save O'Brien's life.

The prognosis is good because we caught it when the growth was small," said Beverly O'Brien, Louis' wife.

"But if Dr. (Brad) Black hadn't found it on a second set of X-rays, it could have been much more serious. One doctor said he may not have lived if we would have waited three more months."

O'Brien had applied for medical

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coverage under the Grace plan, and on Monday, two months after his surgery, he received a letter denying entrance into the program from the claim administrator. Health Network America.

"It was kind of a joke. Two months after the operation we got a letter saying he was rejected," Beverly said. "There are all kinds of emotions — anger, shock and disgust."

HNA spokesperson Violet Kauffman on Tuesday had not heard about O'Brien's case. She said Dr. Jay Flynn, HNA vice president of medical affairs, gathers information from independent resources and receives a second and sometimes a third opinion before making any decisions regarding the program.

"I doubt that the letter was in error if it was from Dr. Flynn," Kauffman said. "I doubt there was a mistake made there."

Flynn and HNA founder Stephen Kardos both were unavailable for comment.

O'Brien never worked at the W.R. Grace vermiculite mine near Libby, the source of amphibole asbestos fibers called tremolite. However, he lives three blocks from the site of the Grace processing plant and has Zonolite insulation in his attic and basement.

Grace voluntarily has funded the medical program since April

2000. The purpose was to care for individuals harmed by the operations of Grace's vermiculite mine.

Dr. Roch Boyer, O'Brien's surgeon, told the couple that there was more asbestos damage than expected from looking at X-rays, Beverly said.

"Dr. Boyer came out of surgery and said there was quite a bit more asbestosis than he had first thought," Beverly said, adding that the surgeon's report clearly outlined asbestos exposure as the cause. "That's why the letter (from HNA) is a joke."

Exposure to tremolite has been blamed for the deaths of more than 200 Lincoln County residents. Another 750 have been diagnosed with an asbestos-related health condition.

A percentage of the 750 people diagnosed and enrolled in the health plan could be forced out of the program, according to HNA officials. Others hoping to register for the coverage have found it has become more difficult to gain acceptance since February.

"The surgery cost a lot of money and a lot of people can't afford it," Louis O'Brien said. "I don't think people should have to pay for what Grace is responsible for."

Prescription medication coverage also was cut last month; the plan now covers a specific

list of respiratory medications that does not include many blood pressure medications that have been associated with impaired breathing.

The source of the problem: Some of the country's leading asbestos researchers and clinical specialists do not agree on the symptoms or rate of progression following exposure to tremolite asbestos.

Doctors treating patients locally are convinced that more research is needed to understand the full scope of Libby's asbestos problem. They say clinical evidence suggests diseases associated with the microscopic fiber progress at an unprecedented rate and that a wider range of health defects can stem from exposure.

"There is a lot more to this process than just looking at an X-ray," Black said. "Exposure pathways and clinical diagnosis are very important."

HNA hires independent experts to review chest scans and X-rays, and then the company adjusts the coverage accordingly, Flynn told *The Western News* in May that the only independent expert reviewing the X-rays is Dr. Paul Saurel Wheeler, a pulmonology expert at Johns Hopkins Hospital in Baltimore. Since then, Wheeler and Kauffman have indicated that other experts were consulted.

Wheeler has a history of testifying for corporations facing

asbestos lawsuits, many times finding no evidence of disease caused directly by exposure to asbestos.

Histological evidence, which involves studying changes to the cell and tissue structure due to contact with asbestos, is the only way to determine if there is asbestos disease, according to Wheeler. He discounts clinical diagnoses of local and regional doctors who say tremolite asbestos is a greater health hazard than most other asbestos types.

Wheeler claims to have researched many of the most dangerous types of amphibole asbestos, but did not indicate any previous experience with tremolite. He has extensive experience with chrysotile asbestos exposure, which was common in Baltimore during the shipbuilding days of World War II.

"I've seen the whole spectrum of asbestos fibers," Wheeler said when specifically asked multiple times about his history with tremolite. "I've had more experience with cases claiming asbestosis than any other expert in the country."

Wheeler, who does not examine patients claiming to have asbestos-related disease, said he has doubts whether Libby's asbestos problem is really as widespread as reported.

"Just seeing asbestos fibers is not enough to make a diagnosis," Wheeler said. "I'm seriously concerned about how much asbestosis there is in Libby. You're not building any ships there."